

1 Steve W. Berman (*Pro Hac Vice*)  
HAGENS BERMAN SOBOL SHAPIRO LLP  
2 715 Hearst Avenue, Suite 202  
Berkeley, CA 94710  
3 Telephone: (510) 725-3000  
Facsimile: (510) 725-3001  
4 steve@hbsslaw.com

5 Elizabeth J. Cabraser (State Bar No. 083151)  
LIEFF CABRASER HEIMANN & BERNSTEIN, LLP  
6 275 Battery Street, 29th Floor  
San Francisco, CA 94111-3339  
7 Telephone: (415) 956-1000  
Facsimile: (415) 956-1008  
8 ecabraser@lchb.com

9 Joseph W. Cotchett (36324)  
COTCHETT, PITRE & McCARTHY, LLP  
10 840 Malcolm Road  
Burlingame, CA 94010  
11 Telephone: (650) 697-6000  
Facsimile: (650) 697-0577  
12 jcotchett@cpmlegal.com

13 *Counsel for Indirect Purchaser Plaintiffs*

14 [Additional Counsel Listed on Signature Page]

15  
16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18 OAKLAND DIVISION

19  
20 IN RE LITHIUM ION BATTERIES  
ANTITRUST LITIGATION

21  
22 This Documents Relates to:

23 ALL INDIRECT PURCHASER ACTIONS  
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Case No. 4:13-md-02420 YGR (DMR)

MDL No. 2420

FIFTH STATUS REPORT REGARDING  
SETTLEMENTS

DATE ACTION FILED: Oct. 3, 2012

1 Indirect purchaser plaintiffs (“IPPs”) file this status report to update and inform the Court  
2 of the status of proposed settlement agreements between the parties.

3 As they previously advised, IPPs have settled with three additional defendant families—  
4 Samsung SDI Co., Ltd. and Samsung SDI America, Inc. (collectively, “SDI”), NEC Tokin  
5 Corporation (“Tokin”), and Toshiba Corporation (“Toshiba”) (collectively, the “Settling  
6 Defendants”).<sup>1</sup> The settlements total \$43.5 million in cash payments by the Settling Defendants,  
7 with no reversion should any funds remain after distribution to class members and payment of  
8 costs, fees and expenses.

9 IPPs have also recently reached a settlement in principle with defendants Panasonic  
10 Corporation, Panasonic Corporation of North America, Sanyo Electric Co., Ltd., and Sanyo North  
11 America Corporation (collectively, “Panasonic”).

12 At IPPs’ request, the Court set a compliance deadline of November 30, 2018, by which  
13 IPPs would file a motion for preliminary approval or a further status report regarding the  
14 settlements.<sup>2</sup> IPPs requested the time in order to formulate an allocation plan for submission to  
15 the Court in conjunction with the motion. As previously reported, IPPs have retained the  
16 Honorable Rebecca Westerfield (ret.) to recommend a plan of allocation to the Court.

17 In order to accommodate Judge Westerfield’s ongoing work, and the finalization of the  
18 settlement with Panasonic, IPPs request an extension of the compliance deadline to  
19 **December 21, 2018**. IPPs expect to file a motion for preliminary approval on that day.

20 Furthermore, IPPs request that the Court vacate all trial and pre-trial dates set in this  
21 matter. Panasonic concurs in this request.

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<sup>1</sup> Joint Status Report Re Settlements, Dkt. No. 2365 (August 3, 2018).

28 <sup>2</sup> Dkt. No. 2442.

1 Dated: November 20, 2018

LIEFF CABRASER HEIMANN & BERNSTEIN, LLP

2 By: /s/ Brendan P. Glackin

3 BRENDAN P. GLACKIN

4 Elizabeth J. Cabraser (SBN 083151)

Brendan P. Glackin (SBN 199643)

5 Lin Y. Chan (SBN 255027)

Michael K. Sheen (SBN 288284)

6 Abbye R. Klamann (SBN 311112)

275 Battery Street, 29th Floor

7 San Francisco, CA 94111-3339

Telephone: (415) 956-1000

8 Facsimile: (415) 956-1008

ecabraser@lchb.com

9 bglackin@lchb.com

lchan@lchb.com

10 msheen@lchb.com

aklamann@lchb.com

11 Dated: November 20, 2018

HAGENS BERMAN SOBOL SHAPIRO LLP

12 By: /s/ Shana E. Scarlett

13 SHANA E. SCARLETT

14 Steve W. Berman (*Pro Hac Vice*)

Jeff D. Friedman (SBN 173886)

15 Shana E. Scarlett (SBN 217895)

Benjamin J. Siegel (SBN 256260)

16 715 Hearst Avenue, Suite 202

Berkeley, CA 94710

17 Telephone: (510) 725-3000

Facsimile: (510) 725-3001

18 steve@hbsslaw.com

jefff@hbsslaw.com

19 shanas@hbsslaw.com

bens@hbsslaw.com

20 Dated: November 20, 2018

COTCHETT, PITRE & McCARTHY, LLP

21 By: /s/ Adam J. Zapala

22 ADAM J. ZAPALA

23 Joseph W. Cotchett (SBN 36324)

Adam J. Zapala (SBN 245748)

24 Tamarah Prevost (SBN 313422)

840 Malcolm Road

25 Burlingame, CA 94010

Telephone: (650) 697-6000

26 Facsimile: (650) 697-0577

jcotchett@cpmlegal.com

27 azapala@cpmlegal.com

28 tprevost@cpmlegal.com

*Counsel For Indirect Purchaser Plaintiffs*

**ATTESTATION**

I, Brendan P. Glackin, hereby attest, pursuant to Northern District of California, Local Rule 5-1(i)(3) that concurrence in the filing of this document has been obtained from each of the signatories hereto.

Dated: November 20, 2018

By: /s/ Brendan P. Glackin  
BRENDAN P. GLACKIN